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DENNISON, SCHULTZ & MACDONALD
1727 KING STREET
SUITE 105
ALEXANDRIA VA 22314

In re Application of :
Povel et al. :
Application No. 10/585,816 :
PCT No.: PCT/EP2005/000319 :
Int. Filing Date: 14 January 2005 :
Priority Date: 14 January 2004 :
Atty. Docket No.: 06088 :
For: Method For Determining Colour :
Perception In Multi-Layer Systems :
DECISION

This is in response to applicants' "Petition Under 37 CFR 1.117(f)" filed on 23 December 2008, which is being treated under 37 CFR 1.182.

DISCUSSION

In a Decision mailed on 24 November 2008, the petition under 37 CFR 1.182 filed on 14 November 2008 was dismissed, without prejudice, because

The instant petition requests relief on the basis that the "inventor has become married and now uses the name Kirsten Povel." However, this is not corroborated by a statement made on the basis of first-hand knowledge (e.g., by the inventor) attesting to the fact of the name change, and that the name appearing on the declaration identifies the same inventor who was nominated in the published international application. As such, it would not be appropriate to grant the petition on the basis of the present record.

In response, petitioner now presents a "Statement Of Kirsten Povel," who attests to her name change due to marriage and to her identity as inventor Kirsten Weniger, who was nominated in the published international application. Based on the totality of the evidence now of record, it would be appropriate to accept her name as it appears on the declaration filed on 22 September 2008. Applicants are encouraged to file an application data sheet to ensure that her name appears correctly should this application issue as a patent.

DECISION

The petition is **GRANTED**.

This application is being forwarded to the Office of Patent Application Processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **22 September 2008**.

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